

granted in the earlier filed case will not be extended by allowance of the claims in this application because the patent granted on this case will commonly expire in any event with the parent reissue patent identified by the Examiner. Moreover, the claims presented in this case are different from those granted in the earlier reissue patent and the Examiner has not argued much less established that those differences are obvious. Nevertheless, to advance prosecution, a suitable Terminal Disclaimer has been executed by applicant and is attached. It is therefore respectfully submitted that the Examiner's double patenting rejection has been mooted and should be withdrawn.

It is noted that the Examiner considered claim 27 to be allowable.

The Examiner noted that claims 24-26 and 28-34 would be allowed if rewritten to overcome rejections under 35 USC 112, second paragraph. However, no rejections under 35 USC 112, second paragraph, were made in the Official Action. It is therefore submitted that these claims should now be allowed together with claim 27.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

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